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2009 JUN 12 PM 5:43

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY WMT DEPUTY

10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 MICHAEL J. AGUIRRE,

13 Plaintiff,

14 v.

15 UNITED STATES DEPARTMENT OF
16 THE TREASURY,

17 Defendant.

Case No.

09 CV 1283

MMA WMC

COMPLAINT FOR DECLARATORY
JUDGMENT; PRODUCTION OF FOIA
RECORDS

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(Request for declaratory judgment under 28 U.S.C. §2201	
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(Request for records improperly withheld in violation of FOIA)	
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INTRODUCTION

1
2 1. This is an action by Michael J. Aguirre, of the law firm Aguirre, Morris &
3 Severson LLP ("Plaintiff") pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §
4 552, as amended, seeking to vindicate the public's right to obtain government records maintained
5 by the Department of the Treasury (the "Treasury"), an agency of the United States government,
6 concerning the transactions between the Federal Reserve System (the "Fed") and American
7 International Group, Inc. (AIG), a Delaware corporation, as part of the Maiden Lane lending
8 program.

9 2. The government documents that Plaintiff seeks to acquire are central to
10 understanding and assessing AIGs involvement in the most cataclysmic financial crisis in
11 America since the Great Depression. The effect of that crisis on the American public has been
12 and will continue to be devastating. Millions of Americans have entrusted AIG with their money
13 and well being through the modern insurance system and the solvency of the company is a major
14 concern to both those who have policies with AIG and the American public at large.

15 3. In response to the financial crisis, the Fed has vastly expanded its lending
16 programs to private institutions. To obtain access to this public money and to safeguard the
17 taxpayer's interests, borrowers are required to perform some action or provide some collateral in
18 exchange for the money. As a result of the lending of taxpayer money, the public has a manifest
19 interest in such matters. Despite this inherent interest, none of these transactions or programs
20 themselves makes reference to any public disclosure of the items contained in the portfolio or
21 other financial interests transferred to the Fed or of the Fed's methods in valuing it. Thus, while
22 the taxpayers are the ultimate counterparty for the transactions, they have not been given any
23 details or specific information regarding the nature of the transaction, how it was valued, or by
24 whom.

25 4. In order to be the eyes and ears of the public as well as to help investigate the
26 solvency of AIG, Plaintiff sought access to this information under FOIA. To date, the Treasury
27 has failed to produce the requested documents. Consequently, Plaintiff brings this suit to compel
28 the Treasury to discharge its obligations under FOIA, so that the public can be informed of how

1 the Fed and Treasury are safeguarding the public's money.

2 JURISDICTION AND VENUE

3 5. This Court has jurisdiction over this action pursuant to 28 U.S.C. §1331 because
4 this action arises under the laws of the United States, in particular, 5 U.S.C. §552. In addition,
5 this Court has jurisdiction over this action pursuant to 5 U.S.C. §552(a)(4)(B), under which, "the
6 district court of the United States in the district in which the complainant resides, or has his
7 principal place of business...has jurisdiction to enjoin the agency from withholding agency
8 records and to order the production of any agency records improperly withheld from the
9 complainant," because, among other things, Plaintiff maintains its principal place of business in
10 this District.

11 6. Venue is proper in this District pursuant to 5 U.S.C. §552(a)(4)(B) and 28 U.S.C.
12 §1931 because, among other things, Plaintiff's principal place of business is in this District.

13 PARTIES

14 7. Plaintiff is an attorney with the law firm of Aguirre, Morris & Severson. Plaintiff
15 is a resident of this district and has his principal place of business at 444 W. C Street, Suite 210,
16 San Diego, California. Plaintiff is currently investigating AIG. As part of the investigation,
17 Plaintiff is following the trail of money, decisions, and transactions that lead to the bailout as well
18 as the subsequent effects. The purpose of the investigation is to inform and protect the taxpayers
19 of California. In total, the goal of the investigation is to protect those insured by AIG and its
20 subsidiaries and affiliates as well as ensure that they will be able to collect on any claims they
21 may have.

22 8. Defendant Treasury is an agency of the United States of America, and has
23 possession and control of the records that the Plaintiff seeks. According to the Treasury, it is
24 charged with serving the American people and strengthening national security by managing the
25 U.S. Government's finances effectively, promoting economic growth and stability, and ensuring
26 the safety, soundness, and security of the U.S. and international financial systems.

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28 ///

FACTS**A. AIG's BAILOUT**

9. In May 2007, AIG's stock prices sat at or around \$72.00. After AIG's investors were made aware of AIG's high risk exposure to spread-based lending and its credit default swap programs, the stock price fell to under \$2.00 on or around May 2008. Furthermore, AIG shareholder equity dropped from \$95 billion to \$52 billion between 2007 and 2008. Cash flow from operating activities decreased from \$14 billion in 2006 to negative \$99 billion in 2008.

10. As a result of this, AIG's insurance companies doing business in California are at substantial risk. AIG has suffered over \$200 billion deterioration of their investment capital as of December 31, 2008. AIG's reserves, reinsurance contracts, income statements, lack of surplus, affiliated transactions and the Insurance Regulatory Information Systems (IRIS) ratio are further indicators of a substantial and material risk that AIG will not have the financial ability to make good on its commitments under insurance policies issued in California.

11. In order to protect AIG from immediate insolvency, Maiden Lane II LLC (MLII) and Maiden Lane III LLC (MLIII) were formed to facilitate the restructuring of the Fed's financial support to AIG. The Fed extended credit to MLII to purchase residential mortgage-backed securities ("RMBS") from the securities lending portfolio of several regulated United States insurance subsidiaries of AIG. The Fed extended credit to MLIII to purchase multi-sector collateralized debt obligations from certain counterparties of AIG Financial Products Corp. (AIGFP).

12. On November 10, 2008, the Fed, in conjunction with the Treasury, announced the restructuring of the government's financial support to AIG in order to help with AIG's restructuring. As part of this aid, the Fed authorized the transfer of up to \$22.5 billion of government funds to MLII to fund the purchase of the RMBS.

13. On December 12, 2008, AIG and its subsidiaries and affiliates entered into an Asset Purchase Agreement (Maiden Lane II Agreement) with MLII. Pursuant to the Maiden Lane II Agreement, the life insurance subsidiaries of AIG sold to MLII II all of their undivided interests in a pool of \$39.3 billion face amount of RMBS held by the AIG Securities Lending

1 Corp. as agent of the life insurance subsidiaries in connection with AIG's United States securities
2 lending program. In exchange for the RMBS, the life insurance subsidiaries received an initial
3 purchase price of approximately \$19.8 billion plus the right to receive deferred contingent
4 portions of the total purchase price of \$1 billion plus participation in the residual, each of which is
5 subordinated to the repayment of the Fed loan to MLII.

6 14. Pursuant to a credit agreement, the NY Fed, as senior lender, made a loan to MLII
7 in the aggregate amount of \$19.5 billion (such amount being the case purchase price of the RMBS
8 payable to MLII on the closing date after certain adjustments, including payments on RMBS for
9 the period between the transaction settlement date of October 31, 2008 and the closing date of
10 December 12, 2008).

11 15. On November 10, 2008, the Fed, in conjunction with the Treasury, announced the
12 restructuring of the government's financial support to AIG in order to help with AIG's
13 restructuring. As part of this aid, the Fed lent \$24.3 billion to MLIII to help with the purchase
14 from certain third-party counterparties of AIGFP certain U.S. dollar denominated CDOs with an
15 estimated fair value as of October 31, 2008, of approximately \$29.6 billion.

16 16. The counterparties agreed to sell the CDOs to MLIII in exchange for a purchase
17 payment from MLIII and their retention of collateral previously posted by AIGFP under the
18 related credit derivative contracts, for an overall consideration of par. In connection with any
19 such purchase, each AIGFP counterparty agreed to terminate the related credit derivative
20 contracts between such counterparty and AIGFP.

21 17. The agreement between MLIII and AIGFP was captured in the Shortfall
22 Agreement. The Shortfall Agreement between MLIII and AIGFP states that AIGFP was party to
23 the derivative transactions listed on Schedule A hereto with an aggregate notional value of over
24 \$53.5 billion. These documents are the subject of the final request.

25 **B. PRESIDENTIAL MANDATE OF OPENNESS**

26 18. On January 21, 2009, one day after taking office, President Barack Obama issued a
27 memo directed to the heads of executive departments and agencies. The memo was entitled
28 Transparency and Open Government. The memo announced that his administration was

1 committed to creating an unprecedented level of openness in Government. The memo announced
2 his intention to establish a system of transparency, public participation and collaboration between
3 governmental departments and the people. He announced that “[o]penness will strengthen our
4 democracy and promote efficiency and effectiveness in Government.” He continued on about the
5 accountability that comes from transparency, the dispersion of knowledge that accompanies
6 participation, and how collaboration engages the public and fosters participation.

7 19. On March 19, 2009, Attorney General Eric Holder issued a follow up memo to
8 President Obama’s memo to the department heads. In his memo, he stated that FOIA should be
9 “administered with a clear presumption: In the face of doubt, openness prevails.” In explaining
10 what this meant, he explained two implications. First, an agency should not use technicalities to
11 withhold information; just because the agency can withhold it should not mean that it does.
12 Second, agencies should strive to provide as much information as it can if it cannot make a full
13 disclosure. This partial disclosure, he explains, is a reasonable step that departments should take
14 in order to release nonexempt information.

15 C. THE REQUEST

16 20. On May, 7, 2009, Plaintiff submitted to the Treasury, by facsimile and United
17 States Postal Service, a FOIA request (2009-05-022) seeking documents related to MLII. The
18 request sought six categories of documents: 1) any agreement where MLII is a party, 2) a list of
19 AIG subsidiaries that were involved in MLII transactions, 3) a copy of the Asset Purchase
20 Agreement, 4) a copy of the credit agreement amongst the Fed and MLII, 5) closing documents
21 for the asset purchase and lending agreements described above, and 6) any additional documents
22 and transactions which include any distribution of funds documentation, correspondence and
23 emails amongst and between the various parties to the agreements described above.

24 21. On May 8, 2009, Plaintiff submitted to the Treasury, by facsimile and United
25 States Postal Service, a FOIA request (2009-05-023) seeking documents related to MLII. The
26 request sought the completed Annex A and Annex B for the MLII Asset Purchase Agreement.

27 22. On May 8, 2009, Plaintiff submitted to the Treasury, by facsimile and United
28 States Postal Service, a FOIA request (2009-05-024) seeking documents related to Maiden Lane

1 II. The request sought the documents showing the identity of each transaction making up the
2 MLII portfolio. In the request, Plaintiff specified the need to identify the originator of the loans,
3 when the loans originated, if they were securities, the identity of any securitizer, and the date of
4 securitization. Further, he also asked for any documents relating to AIG and if they were
5 involved in the underlying transactions as originator or securitizer.

6 23. On May 11, 2009, Plaintiff submitted to the Treasury, by facsimile and United
7 States Postal Service, a FOIA request (2009-05-026) seeking documents related to MLIII. The
8 request sought the documents showing the Schedule A list of transactions compromising the \$53
9 billion in notational value as part of the Shortfall Agreement between MLIII and AIGFP.
10 Plaintiff also sought the documents showing the names of the parties to the derivative transactions
11 on Schedule A, the dates of the transactions, all counterparties to the transactions, the amounts of
12 each individual transaction, the nature of the transaction, the underlyings for each transactions
13 and any related correspondence or emails. Moreover, he asked for the forward purchase
14 agreement between the counterparty to the Derivative Transactions and MLIII, documents
15 showing the names of any counterparties, the dates of such agreements, the amounts for such
16 agreements, and any related correspondence or emails. Finally, the Shortfall Agreement stated
17 that MLIII had delivered collateral to the counterparties; he sought the documents showing the
18 collateral and the counterparties.

19 24. On May 8, 2009, Treasury Director of Disclosure Services, Hugh Gilmore
20 responded to the May 7, 2009 request saying that the Treasury could not process the request.
21 According to the letter, Gilmore stated that all requests need to be accompanied by an agreement
22 to pay applicable fees.

23 25. Between May 8, 2009 and May, 14, 2009, Plaintiff and Gilmore as well as Tom
24 O'Connor of the Treasury sent various communications back and forth. On May 14, 2009,
25 Plaintiff submitted to the Treasury, by facsimile and United States Postal Service, a letter that
26 relayed and affirmed that he would agree to pay \$25 for each request in order to meet the FOIA
27 regulations.

28 ///

1 26. The public has a significant and legitimate interest in the Treasury's conduct with
2 respect to AIG, Maiden Lane II and III, and the Fed because they are enacting transactions
3 involving tax payer money. When the Fed uses public money, tax payers are entitled to
4 understand and assess the decisions and transactions it enters into with private institutions. The
5 public's interest is particularly pronounced in light of the new expansive powers of the Fed, the
6 new risks that the Fed is taking with public money, the potential insolvency of AIG, and the
7 ongoing financial crisis and its effects on the American economy.

8 27. As the holder of the records, the Treasury has an obligation to the people to
9 provide the transparency of these transactions.

10 28. On information and belief, the Treasury possesses the records requested above.

11 29. The Treasury is obligated to release the records requested under FOIA unless it
12 can show that the records are exempt from disclosure.

13 **D. TO DATE THE TREASURY HAS FAILED TO PRODUCE THE DOCUMENTS**

14 30. Under FOIA, the Treasury was required to respond to the May 7, 2009 request by
15 June 5, 2009, which is 20 business days after the date in which Plaintiff submitted the request.
16 The May 8, 2009 requests required a response by June 8, 2009, which is 20 business days after
17 the date in which Plaintiff submitted the request. The May 11, 2009 request required a response
18 by June 9, 2009, which is 20 business days after the date in which Plaintiff submitted the request.

19 31. On 12 June 2009 the Treasury, after being informed that this legal action was
20 being filed, sent another letter attempting to delay production of the records.

21 32. Defendant has made clear by its conduct that it has not and will not produce any
22 records. Defendant is stonewalling the production of these records and any further appeal would
23 be futile.

24 33. Plaintiff has a statutory right to the records requested.

25 **FIRST CAUSE OF ACTION**

26 (Request for declaratory judgment under 28 U.S.C. §2201)

27 34. Plaintiff repeats, realleges, and incorporates the allegations in the foregoing
28 paragraphs as though fully set forth herein.

1 35. FOIA mandates public disclosure by the Treasury of the records requested.

2 36. The Treasury has not provided the records requested to Plaintiff.

3 37. An actual and justiciable controversy exists as to whether the Treasury has
4 violated FOIA.

5 38. Plaintiff seeks declaratory judgment that FOIA entitles Plaintiff to the records
6 requested and that the Treasury should produce those records immediately.

7 **SECOND CAUSE OF ACTION**

8 (Request for records improperly withheld in violation of FOIA)

9 39. Plaintiff repeats, realleges, and incorporates the allegations in the foregoing
10 paragraphs as though fully set forth herein.

11 40. Plaintiff seeks disclosure of, and access to, the records requested.

12 41. The Treasury was required to respond to the requests no later than June 9, 2009 or
13 June 12, 2009, but to date, has still failed to respond.

14 42. Plaintiff has exhausted its administrative remedies with respect to receiving a
15 response to the records requested.

16 43. FOIA mandates public disclosure by the Treasury of the records requested.

17 44. The Treasury's failure to make the records requested promptly available to
18 Plaintiff violates 5 U.S.C. §552(a)(3)(A).

19 45. Upon substantially prevailing, Plaintiff should be awarded its attorneys' fees under
20 5 U.S.C. §552(a)(4)(E).

21 **PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiff respectfully prays that:

23 1. The Court declare that the Treasury's constructive denial by failing to respond to
24 the substance of the request was unlawful;

25 2. The Court order the Treasury to make the records requested immediately available
26 to Plaintiff; and

27 ///

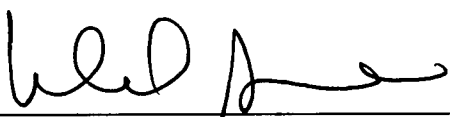
28 ///

1 3. The Court grant such other and further relief as this Court may deem just and
2 proper.

3 Respectfully submitted,

4 AGUIRRE, MORRIS & SEVERSON LLP

5
6 Dated: June 12, 2009

7 
8 _____
9 Michael J. Aguirre

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MICHAEL J. AGUIRRE

(b) County of Residence of First Listed Plaintiff San Diego County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

AGUIRRE, MORRIS & SEVERSON, LLP, (619) 876-5364
444 West C Street, Suite 210, San Diego, CA 92101

DEFENDANTS

UNITED STATES DEPARTMENT OF THE TREASURY

County of Residence of First Listed Defendant SAN DIEGO COUNTY
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

Attorneys (Firm Name)

09 CV 1283

MMA WMC

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- | | | | | | |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input checked="" type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
5 U.S.C. Sec. 552

Brief description of cause:
Freedom of Information Act ("FOIA")

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

06/12/2009

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # 001953

AMOUNT

\$350

APPLYING IFP

JUDGE

MAG. JUDGE

Court Name: USDC California Southern
Division: 3
Receipt Number: CAS001953
Cashier ID: bhartman
Transaction Date: 06/12/2009
Payer Name: AGUIRRE MORRIS AND SEVERSON

CIVIL FILING FEE

For: AGUIRRE V U.S. TREASURY DEPT.
Case/Party: D-CAS-3-09-CV-001283-001
Amount: \$350.00

CHECK

Check/Money Order Num: 1093
Amt Tendered: \$350.00

Total Due: \$350.00
Total Tendered: \$350.00
Change Amt: \$0.00

There will be a fee of \$45.00
charged for any returned check.